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March 18, 2021

VIA ECF

Hon. Sanket J. Bulsara
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Courtroom 324N
Brooklyn, New York 11201

Re: *Durand, et al., v. Excelsior Care Group LLC d/b/a Cold Spring Hills Center for Nursing and Rehabilitation and Emanuel, Docket No. 1:19-cv-02810-KAM-SJB*

Dear Judge Bulsara:

This firm represents Defendant Excelsior Care Group LLC d/b/a Cold Spring Hills Center for Nursing and Rehabilitation (“CSH”) in the above-referenced action. In accordance with Your Honor’s Minute Entry and Order dated March 4, 2021, we write jointly with Plaintiffs’ counsel to inform the Court as to the status of the parties’ settlement discussions and to advise whether a third settlement conference would be fruitful.

Since participating in the settlement conference with the Court on March 4, 2021, the parties have exchanged information and engaged in further telephonic settlement discussions. While no settlement has been reached, the discussions have been productive and counsel for the parties intend to speak to their respective clients and to continue to explore a potential settlement over the next few weeks. As such, the parties respectfully request that the Court set a control date for forty-five (45) days, by which time the parties will update the Court as to the status of their settlement discussions and inform the Court if a third settlement conference would be fruitful. If it appears at such time that a settlement is not likely, the parties will advise the Court and provide an updated briefing schedule as to any dispositive motions to be filed.

Thank you for your time and attention to this matter.

Respectfully Submitted,

/s/ Samuel J. Bazian
Samuel J. Bazian

cc: All Counsel of Record (via ECF)